IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 3235 OF 2002

IN

SUIT NO. 3650 OF 1996

Lt.Commander Arun Ranganathan .. Plaintiff

versus

Raj Travels & Tourism .. Defendant

...

None for the plaintiff.

Mr.S.R. Mishra for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 10th February 2005.

P.C.:

1. In view of the fact that there is no proper pleadings regarding special circumstances for setting aside of the ex-parte decree as is required under Order 37 Rule 4 of the Code of Civil Procedure, the learned counsel for the plaintiff seeks leave to withdraw the motion with liberty to apply afresh subject to the law of limitation and subject to

availability of such remedy.

2. Leave granted subject to the condition as above. Motion disposed of as withdrawn.

D.G. KARNIK, J